

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

VICKY JEANETTE SIEGRIST,

Plaintiff,

Case No. 14-cv-14436

v

Honorable Thomas L. Ludington  
Magistrate Judge Stephanie Dawkins Davis

CAROLYN W. COLVIN,  
Commissioner of social security,

Defendant.

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION, DENYING  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT, AND AFFIRMING THE DECISION OF THE  
COMMISSIONER**

Plaintiff Vicky Jeanette Siegrist, a 53-year-old, filed an applications for Supplemental Security Income on January 27, 2012 alleging disability beginning January 6, 2012. After her claim was denied by the Commissioner on May 9, 2012, Siegrist timely requested an administrative hearing. On May 21, 2013 the ALJ issued a written decision finding that Siegrist's low back pain, hypothyroidism stats post thyroidectomy, orthostatic hypotension, depression, and post-traumatic stress disorder were severe at step-two, but at step-three determined the no combination of impairments met or equaled a listed impairment in the regulations. The ALJ then determined that Siegrist was capable of performing a significant number of jobs in the national economy under step five. The ALJ therefore concluded that Siegrist was not disabled within the meaning of the Act. After the Commissioner denied Siegrist's request for review, Siegrist appealed to this Court on November 19, 2014, alleging that the Commissioner erred in concluding that she was not disabled. *See* ECF No. 1.

Plaintiff Siegrist filed a motion for summary judgment on March 16, 2015. ECF No. 11. Defendant Commissioner then filed a motion for summary judgment on June 2, 2015. ECF No. 14. On February 17, 2016 Magistrate Judge Stephanie Dawkins Davis issued a report and recommendation. ECF No. 15. Reviewing the Commissioner's decision under a "substantial evidence" standard, the magistrate judge concluded that the ALJ's determination that Siegrist is not disabled was supported by substantial evidence in the record. *Id.* The magistrate judge therefore recommended that Siegrist's motion for summary judgment be denied, Defendant Commissioner's motion for summary judgment be granted, and the Commissioner's decision be affirmed.

Although the magistrate judge's report explicitly stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither Plaintiff nor Defendant filed any objections. The election not to file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 15, is **ADOPTED**.

It is further **ORDERED** that Plaintiff Vicky Jeanette Siegrist's motion for summary judgment, ECF No. 11, is **DENIED**.

It is further **ORDERED** that Defendant Commissioner's motion for summary judgment, ECF No. 14, is **GRANTED**.

It is further **ORDERED** that the Commissioner of Social Security's decision is **AFFIRMED**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: March 4, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 4, 2016.

s/Michael A. Sian  
MICHAEL A. SIAN, Case Manager